

AMENDMENT AND RESPONSE UNDER**37 C.F.R. § 1.116 EXPEDITED EXAMINATION PROCEDURE****PAGE 2**

Serial No.: 10/017,653

Filing Date: 12/12/2001

Attorney Docket No. 100.407US02

Title: SYSTEM AND METHOD FOR ELECTRONICALLY IDENTIFYING CONNECTIONS
OF A CROSS-CONNECT SYSTEM**REMARKS**

The Final Office Action mailed on October 1, 2007 has been reviewed, along with the art cited. Claims 14-45 are pending in this application. Reconsideration of the outstanding rejections is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 14-21, 23-28, and 33-42 were rejected under 35 USC § 102(e) as being anticipated by Cohen et al. (U.S. Patent No. 5,821,510). Applicant respectfully traverses this rejection.

Claim 14 of the present application recites, in relevant part, “a processor coupled to the first and second communication mediums, the processor coordinating the communication of the connection information signals via the second communication medium and acquisition of connection information with regard to the cross-connected termination elements.”

With respect to claim 14, the Office Action took the position that processor 17 in Fig. 1A of Cohen discloses “a processor coupled to the first and second communication mediums.” The Office Action also took the position that “a jumper 8 in Fig. 4” teaches “a first communication medium communicatively coupling cross-connected termination elements of the plurality of termination elements.”

Applicant previously argued, however, that Cohen does not teach or suggest that processor 17 in Fig. 1A is coupled to the jumper 8 in any way. In response to this argument, the Office Action took the position that:

With reference to col. 6, line 41- col. 7, line 60, the processor 17 controls the storing of the connection information associated with jumper 8. Therefore, the processor 17 is coupled to the jumper 8. Since the definition of the term "coupled" is not specifically recited in the claim, Examiner interprets the term "coupled" in the

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claim as broad as possible, i.e., the "coupled" in the claim is interpreted as "associated" in the reference.

Page 6, Final Office Action.

It is respectfully submitted that even under the interpretation of the term "coupled" proposed in the Office Action (which Applicant does not necessarily concede is correct), Cohen still does not teach or suggest that processor 17 in Fig. 1A is coupled to the jumper 8. In this regard it is noted that the processor 17 of Fig. 1A is not "associated with" the jumper 8 but instead the processor 17 "associates" the jumper 8 with the receptacle 6 in which it is inserted. That is, the jumper 8 is associated with the receptacle 6, not the processor 17.

Claims 16-21 and 23-28 depend from claim 14 and, thus, are allowable for at least the reasons stated above with respect to claim 14.

Furthermore, claim 17 recites "the second communication pathway providing communication of connection information signals *to and from the first and second termination elements.*" The Office Action states that the medium for transmitting optically encoded data connects "a hand-held optical scanner and a receiver interface 16 in Fig. 1A." Nothing in Cohen teaches the medium for transmitting optically encoded data communicates "connection information signals *to and from the first and second termination elements.*"

In response to this argument, the Office Action took the position that:

Applicant further argues (Remarks page 3, lines 22-24) that the jumper 8 does not transmit connection information signals to and from the first and second termination elements. Examiner disagrees. Cohen clearly teaches that the connection information signals (data) to and from the first and second termination elements are provided via the second communication pathway. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transmitting the connection

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information signals to and from the first and second termination elements) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 11 81, 26 USPQ2d 1057 (Fed. Cir. 1993).

Page 7, Final Office Action mailed October 1, 2007.

With respect to the Office Action's statement that "Cohen clearly teaches that the connection information signals (data) to and from the first and second termination elements are provided via the second communication pathway.", the Office Action argues, in connection with claim 14 (from which claim 17 depends) that the connection information is allegedly somehow communicated from the jumper 8 to the processor 17 of the computer 15 via optical scanner 14 and the receiver interface 16. In this regard it is noted that, in connection with claim 14 from which claim 17 depends, the Office Action asserted that the "first and second termination elements" are the receptacles 6 of Cohen. Nowhere does Cohen teach that the alleged "connection information" is communicated to the receptacles 6.

With respect to the Office Action's statement that "In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transmitting the connection information signals to and from the first and second termination elements) are not recited in the rejected claim(s).", it is respectfully noted that the Office Action is mischaracterizing Applicant's argument. Applicant's argument relates to "communication of connection information signals to and from the first and second termination elements" which is absolutely recited in claim 17. It was the Office Action that first referred to an alleged teaching in Cohen that related to "transmitting", and Applicant was arguing with respect to this alleged "transmitting" teaching.

For the reasons stated above, Applicant requests that the rejection of claims 16-21 and 23-28 be withdrawn.

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With respect to claim 33, Applicant previously argued that the medium connecting a hand-held optical scanner and a receiver interface, as discussed in Cohen, does not teach or suggest communicating “communicating, via a second communication medium ..., connection information signals between the cross-connected termination elements of the cross-connect system.” Therefore, Cohen does not teach all the claimed features of amended claim 33.

The Office Action responds to this argument by referring to the response provided to claim 17. The response provided to claim 17 is addressed above with respect to claim 17.

Claims 34-42 depend from claim 33 and, thus, are allowable for at least the reasons stated above with regards to claim 33.

For the reasons stated above, Applicant requests that the rejection of claims 33-42 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 22, 29-32, and 43-45 were rejected under 35 USC § 103(a) as being unpatentable over Cohen et al. (U.S. Patent No. 5,821,510).

Claims 22 and 29-32 depend from claim 14 and, thus, at least the arguments set forth above with respect to claim 14 apply to these claims as well. Applicant respectfully requests that the rejections be withdrawn.

Claims 43-45 depend from claim 33 and, thus at least the arguments set forth above with respect to claim 33 apply to these claims as well. Therefore, claims 43-45 are not obvious over Cohen. Applicant respectfully requests that the rejections be withdrawn.

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CONCLUSION

Applicant respectfully submits that claims 14-45 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: 2007-12-03

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